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7  
8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF OREGON  
10 EUGENE DIVISION

11 **ROGER ALVEY,**

12 **Plaintiff,**

\* Case No.: [Number]

6:13cv1710-AA

\* COMPLAINT

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\*

\*

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\*

13 **vs.**

14 **JOHN CARTER,**

15 **Defendant**

16 Roger Alvey by himself *pro se* for his complaint against John Carter alleges as  
17 follows:

18 **NATURE OF THE ACTION**

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20 1. By this action, Alvey seeks to recover damages for defamatory statements made  
21 by John Carter.

22 **JURISDICTION AND VENUE**

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24 2. This court has subject matter jurisdiction over Alvey's claims pursuant to 28  
25 U.S.C. § 1332(a)(1) because the matter in controversy exceeds the sum or value  
26 of \$75,000, exclusive of interest and costs, and is between citizens of different  
27 states.

28 **COMPLAINT**

3. The court has personal jurisdiction over Carter pursuant to Rule 4(c) of the Federal Rules of Civil Procedure. Carter's defamatory statements were continuously transmitted into this judicial district
4. Venue is proper pursuant to 28 U.S.C. § 1391(b)(2) and (b)(3).

## THE PARTIES

5. Alvey is a citizen journalist, blogger, father and a citizen and resident of Lane County in the state of Oregon, in the city of Eugene.
6. Carter is a frequent contributor to the Facebook page of 'Norman Goldman' a progressive radio talk show host, and upon information and belief, a citizen of the state of Washington, city of Seattle.

## BACKGROUND

7. John Carter is a self-identified “progressive” and supporter of liberal causes. Carter often times finds himself engaging in ad hominem attacks on people with different viewpoints on Facebook.
8. On September 23, 2013, John Carter was engaging in a discussion on Norman Goldman's Facebook page.
9. During the exchanges John Carter made the following statements of purported fact:

**a) September 23 at 3:52 AM**

*“fake name ‘Poly’ is a known (convicted) Internet fraud and sex offender really has nothing else to do than spread bullshit”*

## COMPLAINT

1                   **b) September 23 at 3:59 AM**

2                   *“The convicted fraud and sex criminal Roger Alvey is backsliding into his*  
3                   *activities again. His legal problems apparently have not taught him”*

4                   **c) September 23 at 4:04 AM**

5                   *“the convicted fraud and sex criminal Roger Alvey(now using his latest fake*  
6                   *name Victorian polymath) is relenting to his compulsion to troll and spread*  
7                   *right-wing lies and propaganda. He has legal troubles that he is of course*  
8                   *irresponsibly avoiding.... Sick little bastard”*

9                   **d) September 23 at 4:07 AM**

10                   *“the convicted fraud and sex criminal Roger Alvey(now using his latest fake*  
11                   *name Victorian polymath) is relenting to his compulsion to troll and spread*  
12                   *right-wing lies and propaganda. He has legal troubles that he is of course*  
13                   *irresponsibly avoiding.... Sick little bastard”*

14                   **e) September 23 at 4:27 AM**

15                   *“the convicted fraud and sex criminal Roger Alvey(now using his latest fake*  
16                   *name Victorian polymath) is relenting to his compulsion to troll and spread*  
17                   *right-wing lies and propaganda. He has legal troubles that he is of course*  
18                   *irresponsibly avoiding.... Sick little bastard”*

19                   **f) September 23 at 4:39 AM**

20                   *“the convicted fraud and sex criminal Roger Alvey(now using his latest fake*  
21                   *name Victorian polymath) is relenting to his compulsion to troll and spread*  
22                   *right-wing lies and propaganda. He has legal troubles that he is of course*  
23                   *irresponsibly avoiding.... Sick little bastard”*

24                   **THE TRUTH**

25                   10. Roger Alvey has never been convicted of ‘internet fraud’ or any kind of fraud in  
26                   his entire life.

27                   11. Roger Alvey has never been convicted of a sex crime in his entire life.

28                   **COMPLAINT**

- 1 12. Roger Alvey has never been convicted of any felony in his entire life.
- 2 13. Roger Alvey is not nor has he ever been a 'sex offender'
- 3 14. Roger Alvey has no legal problems

### **CLAIMS FOR RELIEF**

#### **FIRST CLAIM FOR RELIEF**

(Slander per se – Accusations of Serious Sexual Misconduct)

- 8 15. Alvey repeats and realleges the allegations set forth in paragraphs 1 through 14  
9 as if fully set forth at length herein.
- 10 16. Carter's statements described herein ("Statements") concerned Alvey and were  
11 false.
- 12 17. Carter's statements were widely published on the World Wide Web and were not  
13 privileged in any manner.
- 14 18. Carter's statements were made with reckless disregard of their truth or falsity  
15 and/or with malice.
- 16 19. Carter's statements were slanderous per se because they accused Alvey of being a  
17 convicted 'sex criminal' and injured and
- 18 20. Carter's statements were slanderous per se because they accused Alvey of being  
19 convicted of 'internet fraud' and sex crime(s) ... and of being a 'sex offender'
- 20 21. The crimes Carter alleged that Alvey had been convicted of are 'sexual crimes'.

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COMPLAINT

1           22. Carter's statements forever falsely taint and permanently damage Alvey in the  
2           eyes of the public as a convicted felon and convicted 'sex criminal' and 'sex  
3           offender'.  
4

5           **SECOND CLAIM FOR RELIEF**

6           (Slander per se – Accusations of Criminal Conduct)

7           23. Alvey repeats and realleges the allegations set forth in paragraphs 1 through 22  
8           as if fully set forth at length herein.

9           24. Carter's statements concerned Alvey and were false.

10           25. Carter's statements were widely published on the World Wide Web and not  
11           privileged in any manner.

12           26. Carter's statements were made with reckless disregard of their truth or falsity  
13           and/or with malice.

14           27. Carter's statements were slanderous per se because the alleged Alvey was  
15           engaged in criminal conduct or had engaged in criminal conduct.

16           28. Carter accused Alvey of being convicted of 'internet fraud' and unspecified 'sex  
17           crimes'. Carter's false statements forever falsely taint and permanently damage  
18           Alvey in the eyes of the public.

19           **THIRD CLAIM FOR RELIEF**

20           (Slander by Implication)

21           29. Alvey repeats and realleges the allegations set forth in paragraphs 1 through 28  
22           as if fully set forth at length herein.

23           COMPLAINT

1 30. Carter's statements concerned Alvey and indicate the existence of other facts  
2 which are defamatory.

3 31. Carter's statements were widely published and not privileged in any manner.

4 32. Carter's statements were made with reckless disregard of their truth or falsity  
5 and/or with malice.

6 33. Carter had no reasonable grounds for believing the truth of his statements. Carter  
7 relied on, at best, hearsay, and lies in making the statements.

8 34. Carter's statements for ever falsely taint and permanently damage Alvey in the  
9 eyes of the public and his peers as being a convicted 'sex criminal'/'sex offender'  
10 and internet defrauder.

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14 **FOURTH CLAIM FOR RELIEF**  
15 (Slander-Reckless Disregard/Malice)

16 35. Alvey repeats and realleges the allegations set forth in paragraphs 1 through 34  
17 as if fully set forth at iength herein.

18 36. Carter's statements concerned Alvey and indicate the existence of other facts  
19 which are defamatory.

20 37. Carter's statements were widely published and not privileged in any manner.

21 38. Carter's statements were made with reckless disregard of their truth or falsity  
22 and/or with malice.

23 39. Carter had no reasonable grounds for believing the truth of his statements. Carter  
24 relied on, at best, hearsay and lies in making the statements.

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COMPLAINT

1           40. Carter's statements for ever falsely taint and permanently damage Alvey in the  
2           eyes of the public and his peers as being someone who has been convicted of  
3           ‘internet fraud’ and unspecified ‘sex crimes’ and was a ‘sex offender’  
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6           **FIFTH CLAIM FOR RELIEF**  
7           (Libel Per Se -Injury to Personal Reputation)

8           41. Alvey repeats and realleges the allegations set forth in paragraphs 1 through 40  
9           as if fully set forth at length herein.

10           42. Carter's statements concerned Alvey and were false.

11           43. Carter's statements were widely published and not privileged in any manner.

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13           44. Carter's statements were made with reckless disregard of their truth or falsity  
14           and/or with malice.

15           45. Carter had no reasonable grounds for believing the truth of his statements. Carter  
16           relied on, at best, hearsay and lies in making the statements.

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18           46. Carter's statements for ever falsely taint and permanently damage Alvey in the  
19           eyes of the public and his peers as being someone who has been convicted of  
20           ‘internet fraud’ and unspecified ‘sex crimes’ and was a ‘sex offender’.

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22           **SIXTH CLAIM FOR RELIEF**  
23           (Libel Per Se - Accusations of Criminal Conduct)

24           47. Alvey repeats the realleges the allegations set forth in paragraphs 1 through 46 as  
25           if fully set forth at length herein.

26           48. Carter's statements concerned Alvey and were false.

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28           COMPLAINT

1 49. Carter's statements were widely published and not privileged in any manner.  
2 50. Carter's statements were made with reckless disregard of their truth or falsity  
3 and/or with malice.  
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5 51. Carter's statements were libelous per se because the alleged Alvey was engaged  
6 or had engaged in criminal conduct and was convicted of 'internet fraud' and was  
7 a 'sex criminal'.  
8  
9 52. Carter's statements for ever falsely taint and permanently damage Alvey in the  
10 eyes of the public and his peers as being someone who has been convicted of  
11 'internet fraud' and unspecified 'sex crimes' and was a 'sex offender'.  
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13 **SEVENTH CLAIM FOR RELIEF**  
14 (Libel by Implication)

15 53. Alvey repeats and realleges the allegations set forth in paragraphs 1 through 52  
16 as if fully set forth at length herein.  
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18 54. Carter's statements concerned Alvey and indicate the existence of other facts  
19 which are defamatory.  
20  
21 55. Carter's statements were widely published and not privileged in any manner.  
22  
23 56. Carter's statements were made with reckless disregard of their truth or falsity  
24 and/or with malice.  
25  
26 57. Carter had no reasonable grounds for believing the truth of his statements. Carter  
27 relied on, at best, hearsay, circumstantial evidence lies in making the statements.  
28

COMPLAINT

1 58. Carter's statements for ever falsely taint and permanently damage Alvey in the  
2 eyes of the public and his peers as being someone who has been convicted of  
3 'internet fraud' and unspecified 'sex crimes' and was a 'sex criminal' and 'sex  
4 offender'

5 **EIGHTH CLAIM FOR RELIEF**  
6 (Libel -Reckless Disregard/Malice)

7 59. Alvey repeats and realleges the allegations set forth in paragraphs 1 through 56  
8 as if fully set forth at length herein.

9 60. Carter's statements concerned Alvey and indicate the existence of other facts  
10 which are defamatory.

11 61. Carter's statements were widely published and not privileged in any manner.

12 62. Carter's statements were made with reckless disregard of their truth or falsity  
13 and/or with malice.

14 63. Carter had no reasonable grounds for believing the truth of his statements. Carter  
15 relied on, at best, hearsay, circumstantial evidence lies in making the statements.

16 64. Carter's statements for ever falsely taint and permanently damage Alvey in the  
17 eyes of the public and his peers as being someone who has been convicted of  
18 'internet fraud' and unspecified 'sex crimes'

19 **PRAYER FOR RELIEF**

20 WHEREFORE, Alvey seeks judgment as follows:

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28 COMPLAINT

1 65. Awarding Alvey all contents at three damages he has suffered, including  
2 consequential and incidental damages as a result of Carter's wrongful conduct in  
3 an amount to be determined at trial but not less than \$250,000.00.  
4

5 66. The Alvey. Damages in a just amount for Carter's willful and wanton conduct;  
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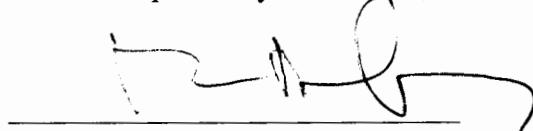
7 67. Awarding Alvey prejudgment and post judgment interest;]  
8

9 68. Awarding Alvey is costs, expenses and attorney's fees incurred in connection  
with this action; and  
10

11 69. Awarding Alvey such other relief as the Court finds just and proper.

12 Dated 24th day of September, 2013  
13

14 Respectfully submitted,  
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COMPLAINT